

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Case No. 5:21-CV-00218-M

CHARLES R. ROGERS,

Plaintiff,

v.

CHRISTOPHER WRAY, *et al.*

Defendant.

ORDER

This matter comes before the court on the initial screening of the Plaintiff's Complaint. DE 6. Pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b), United States Magistrate Judge Robert R. Jones issued a memorandum and recommendation ("M&R"), recommending that the court dismiss the Complaint. DE 5. To date, no objections to the recommendation have been filed.¹

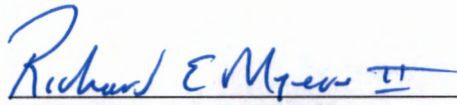
A magistrate judge's recommendation carries no presumptive weight. The court "may accept, reject, or modify, in whole or in part, the . . . recommendation[] . . . receive further evidence or recommit the matter to the magistrate judge with instructions." 28 U.S.C. § 636(b)(1); *accord Mathews v. Weber*, 423 U.S. 261, 271 (1976). The court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* § 636(b)(1). Absent a specific and timely objection, the court reviews only for "clear error" and need not give any explanation for adopting the recommendation. *Diamond v. Colonial*

¹ Judge Jones issued the M&R on May 26, 2021. Accordingly, objections were due on or before June 9, 2021. See 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(2); Local Civil Rule 72.4(b). The Complaint and M&R were submitted to this court for disposition on June 15, 2021.

Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).

Upon careful review of the M&R and the record presented, and finding no clear error, the court ADOPTS the recommendation of the magistrate judge as its own. For the reasons stated therein, the Plaintiff's Complaint is DISMISSED. The Clerk of Court is directed to close this case.

SO ORDERED this 16th day of June, 2021.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE